

### **REMARKS**

Applicants respectfully request reconsideration and allowance in view of the foregoing amendment and the following remarks. Applicants amend claims 1, 3, 5, and 8 without prejudice or disclaimer.

#### **Claim Objections**

The Office Action objects to claims 3 and 8 because of informalities. Applicants amend claims 3 and 8 as suggested in the Office Action and request that this objection be withdrawn.

#### **Rejection of Claims 5-7 Under 35 U.S.C. §112**

The Office Action rejects claims 5-7 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants amend claim 5 to recite that the phonetic versions of the alphabetic characters are associated with prompting the user to verify an identified character string. This amendment leads the phonetic versions away from the DTMF key tones and towards spoken language. Accordingly, Applicants submit that claims 5-7 now particularly point and distinctly claim the appropriate subject matter and are in condition for allowance. Applicants request withdrawal of the rejection under 35 U.S.C. §112, second paragraph.

#### **Rejection of Claims 1, 3-4 and 8-11 Under 35 U.S.C. §103(a)**

The Office Action rejects claims 1, 3-4 and 8-11 under 35 U.S.C. §103(a) as being unpatentable over Brotman et al. (U.S. Patent No. 5,917,889) ("Brotman et al.") in view of Denenberg et al. (U.S. Patent No. 6,728,348) ("Denenberg et al."). Applicants traverse this

rejection and submit that the proposed combination of references does not teach or suggest all the limitations of claim 1.

Brotman et al. do not teach or suggest all the claim limitations. The disclosure of Brotman et al. would have to be altered beyond its scope of disclosure in order to teach or suggest all the claim limitations. In order to clarify and better demonstrate this deficiency, Applicants discuss these missing limitations in terms of the exemplary flow chart for automatically capturing an intended alphabetic character string shown in FIG. 2. Step 640 of “system prompts the user to utter string of alpha character” does not correspond to the claim limitation of prompting the user to speak the previously-entered alphabetic characters because the claim limitation is conditioned on receiving input indicating that the keypad entry played back to the user does not match the entered keypad character input. The flow chart of FIG. 2 clearly indicates that step 640 is not conditional because there are no branches or alternate paths after the system receives a DTMF string in step 620 and before step 640. In order to read on the limitations of claim 1, step 640 would have to be placed after the step 690 of testing if the generated string matches the intended string. The flow chart of Brotman et al. is not so arranged and does not teach this limitation.

Even if the loop from step 720 to step 610 is considered, the flow chart still does not teach the conditional limitation of prompting the user to speak the previously-entered alphabetic characters. The loop returns to step 610, at which point the user enters another DTMF string and starts the flow chart anew with the same unconditional step 640. If the loop went from step 720 to the flow chart between steps 630 and 640, it might teach or suggest the limitations of claim 1 because the “no” branch of the conditional box at step 690 would lead to prompting the user for an utterance without entering a new DTMF string. However, this is not what FIG. 2 of Brotman et al. teaches or suggests. Therefore, Applicants submit that Brotman et al. do not teach or

suggest all the claim limitations and that these modifications which may teach or suggest the claims are beyond the scope of Brotman et al.

Applicants submit that claims 3-4 and 8-11 are also patentable inasmuch as they depend from claim 1 and recite additional limitations therefrom. Accordingly, Applicants request that the 35 U.S.C. §103(a) rejection be withdrawn.

**CONCLUSION**

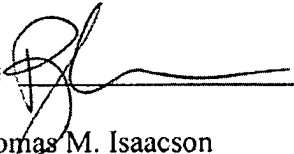
Having addressed all rejections and objections, Applicants respectfully submit that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited. If necessary, the Commissioner for Patents is authorized to charge or credit the **Novak, Druce & Quigg, LLP, Account No. 14-1437** for any deficiency or overpayment.

Respectfully submitted,

Date: March 17, 2009

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